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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,241	06/07/2000	John Mark Dammrose	1999-0363	9995

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 10/06/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/589,241

Applicant(s)

DAMMROSE ET AL.

Examiner

Thjuan P Knowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-19 and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Eskafi et al (US 6,438,223).
2. In regards to claims 1 and 12, Eskafi discloses in a quasi-associated signaling communications network including a terminating remote communication device, a method and system of establishing a network signal path, the method comprising: receiving a first telephone number for a terminating remote communication device; searching for Local Routing Number (LRN) instructions, associated with the first telephone number; using the LRN instructions, establishing a signal connection to a service node which monitors services; establishing a signal connection between the service node and the terminating remote communication device; and using the service node, monitoring signals to the terminating remote communication (col. 4-5 lines 60-13, col. 5 lines 34-57, and col. 13-14 lines 60-4).

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3. In regards to claims 2, 13, 14, and 23, Eskafi discloses the method and system, wherein the service node is a Service Control Point (SCP) (SCP 60); in which the signal connection between the service node and the terminating remote communication device is an out-of-band signal connection; and in which the monitoring of signals by the SCP includes monitoring out-of-band signals (col. 9 lines 36-51 and col. 12 lines 38-55).

4. In regards to claim 3, Eskafi discloses the method, in which monitoring the out-of-band signals includes determining the network services provided to the terminating remote communication device (col. 4-5 lines 60-27 and col. 5 lines 43-67).

5. In regards to claim 4, Eskafi discloses the method, in which the monitoring of services includes determining services selected from the group including prepaid caller plans and universal number plans (col. 3 lines 54-65).

6. In regards to claims 5 and 9, Eskafi discloses the method, in which the establishment of a signal connection between the service node and the terminating remote communications device includes establishing a trunk route for voice communications (col. 3-4 lines 66-13 and col. 9-10 lines 58-10).

7. In regards to claims 6 and 15, Eskafi discloses the method and system, wherein the service node is selected from the group including Intelligent Peripherals (IP)s, Service Switching Point (SSP), and combinations of IPs and SSPs (col. 3 lines 47-65, col. 9 lines 21-29, and col. 11-12 lines 66-18).

8. In regards to claims 7, 16, 24, and 25, Eskafi discloses the method and system, wherein the service node is an IP, the method further comprising: establishing a signal connection through the IP to monitor voice communications services selected from the

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group including voice mail, call screening, voice recognition, and other services involving voice capture and announcement (col. 3 lines 54-65 and col. 10 lines 11-26).

9. In regards to claims 8 and 22, Eskafi discloses the method, wherein a Local Number Portability (LNP) database is accessed, the method further comprising: determining if the first telephone number is a ported number; searching for the first number in an LNP database; and in which the search for the associated Local Routing Number (LRN) includes retrieving the LRN instructions from the LNP database (col. 4-5 lines 60-13 and col. 13-14 lines 60-11).

10. In regards to claims 10, 17, and 19, Eskafi discloses the method and system, wherein a Switch Signal Point (SSP) and a terminating switch are accessed, and in which establishment of the signal connection between the service node and the terminating remote communications device includes: routing voice communication between the terminating remote communication device and a terminating switch associated with the terminating remote communication device; trunking between the terminating switch and an SSP; and routing the voice communications between the SSP and the originating remote communication device (col. 9 lines 21-29 and col. 9-10 lines 58-10).

11. In regards to claims 11 and 18, Eskafi discloses the method and system, wherein the terminating remote unit is a wireless telephone and the terminating switch associated with the first number is a Mobile Switching Center (MSC) (mobile switching center 102) for a wireless network; and in which routing of voice communications between the terminating switch and the terminating remote communications device

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includes establishing voice communication between the MSC and the terminating remote communication device (col. 9-10 lines 58-10).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eskafi et al (US 6,438,223).

13. In regards to claims 20 and 21, Eskafi discloses all of claims 20 and 21 limitations, except the system and method, in which said service node monitors communications with said terminating remote communication device to provide billing information associated with network services used by said terminating remote communication device. However, it is well known in the art to have billing information determined and provided to a system, by a service node, in order for a terminating telephone to be properly charged and billed for the services used.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Copley (US 6,526,137) teaches a system and method of

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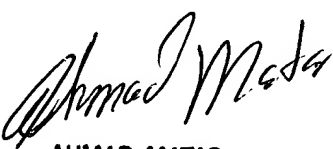
performing forced default routing of calls. Boughman et al (US 6,570,973) teach a system and method for toll notification when placing a call.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

17. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Thjuan P. Knowlin  
September 26, 2003

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
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